

figures are classified differently or require a different field of search) to support the restriction requirement. Therefore, Applicant respectfully traverses the restriction requirement since the Examiner has failed to establish a *prima facie* case for a restriction under 35 U.S.C. § 121.

Applicant further traverses the requirement on the grounds that there is no undue burden on the Examiner necessitating the restriction. The number of claims is not excessive. Further, Applicant submits that the art to be searched does not differ significantly among species 1-3.

For at least the foregoing reasons, Applicant requests that the restriction requirement be reconsidered and withdrawn.

In the event that the restriction requirement is maintained, Applicant elects claims 1-5, 10-13, and 18-20 directed to Figs. 1-4. Applicant traverses the Examiner's indication that no generic claims exist. Applicant submits that claims 1, 2, 10, 11, and 18-20 are generic since they read on each of species 1-3.

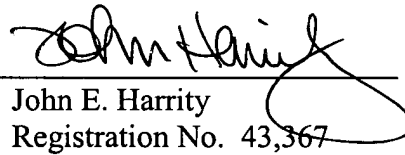
Additionally, Applicant requests that the Examiner examine a "reasonable number of species" in accordance with 37 C.F.R. § 1.141. Clearly, the "reasonable number of species" mandated by the rule is greater than one. Applicant, therefore, respectfully requests that the Examiner also examine claims 6-9 and 14-17, which are directed to Figs. 5 and 6.

Upon the allowance of any generic claim, Applicant respectfully requests rejoinder of all applicable non-elected claims.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 13-2491 and please credit any excess fees to such deposit account.

Respectively submitted,

HARRITY & SNYDER, L.L.P.

By:   
John E. Harrity  
Registration No. 43,367

Date: October 23, 2003

11240 Waples Mill Road  
Suite 300  
Fairfax, Virginia 22030  
(571) 432-0800